

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 04, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RAFAEL MARTINEZ, an individual,

Plaintiff,

v.

WAL-MART INC., a Delaware

corporation,

Defendant.

No. 1:24-CV-03036-SAB

**ORDER STRIKING MOTION
AND GRANTING LEAVE TO
AMEND COMPLAINT**

Before the Court are Defendant's Motion to Dismiss Plaintiff's Complaint, ECF No. 4, and Plaintiff's Motion to Amend Complaint, ECF No. 5. Plaintiff is represented by Erika Valencia. Defendant is represented by Clarence M. Belnavis, Stephan Kendall, and Stephen Scott. The motions were considered without oral argument.

Upon review and being fully informed, the Court strikes Defendant's motion with leave to renew and grants Plaintiff's motion to amend their complaint.

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**ORDER STRIKING MOTION AND GRANTING LEAVE TO AMEND
COMPLAINT #1**

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. Defendant's Motion to Dismiss Plaintiff's Complaint, ECF No. 4, is
3 **STRICKEN with leave to renew.**

4 2. Plaintiff's Motion to Amend Complaint, ECF No. 5, is **GRANTED.**
5 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
6 this Order and to provide copies to counsel.

7 **DATED** this 4th day of April 2024.



13 A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

14 Stanley A. Bastian
15 Chief United States District Judge
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